

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MAGISTRATE NO. C-12-1124-1
	§	
MARTHA ENDELIA MARTINEZ DE	§	
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MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

- (1) There is a serious risk that the defendant will not appear; and
- (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant is substantial. The findings and conclusions contained in paragraphs one through six of the Pretrial Services Report are adopted as the court's own. When arrested, an unaccompanied minor, nine years of age, was found at the defendant's residence, where the child had been harbored for at least a month. The minor child detailed physical abuse occurring at the home. The defendant is a resident alien facing deportation if convicted, and her father lives in Mexico. She has had numerous crossings into Mexico. She has had two prior arrests at the checkpoint in 2012 for transporting undocumented aliens, yet she continued to engage in similar behavior. Her husband and son appear to also have been involved in the physical abuse of minors

and in the harboring of minors. She is a poor bond candidate.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 31st day of October, 2012.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE